

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

In Re: UnumProvident Corp. Securities,) 1:03-md-1552
Derivative & “ERISA” Litigation) *ERISA Benefits Denial Actions*

**NOTICE OF INITIAL MANAGEMENT CONFERENCE
FOR ERISA BENEFITS DENIAL ACTIONS**

At **9:00 a.m.** on **Wednesday, November 19, 2003**, at the **United States Courthouse, 900 Georgia Avenue, Chattanooga, Tennessee**, the Court will conduct an initial management conference for actions within Multidistrict Litigation 1552 (“MDL-1552”) filed by policyholders claiming improper denial of benefits under the Employee Retirement Income Security Act (“ERISA”). The Court anticipates the conference will last no longer than two hours. Counsel in the below listed cases are expected to attend:

Rombeiro v. Unum Life Ins. Co., et al., 1:03-cv-1000
Harris v. UnumProvident Corp., et al., 1:03-cv-1001
Keir, et al. v. UnumProvident Corp., et al., 1:03-cv-1002
Davis, et al. v. UnumProvident Corp., et al., 1:03-cv-1004
Contreras v. UnumProvident Corp., et al., 1:03-cv-1008
Taylor v. UnumProvident Corp., et al., 1:03-cv-1009

The Court is also aware of *Rudrud, et al. v. UnumProvident Corp., et al.*, No. 03-40070-NMG (D. Mass.) as a potential tag-along case to MDL-1552. Counsel in this case may attend as well. Further, counsel in the attached actions filed against UnumProvident by policyholders claiming improper denial of benefits are welcome, but not required, to attend this initial management conference.

Each attorney who will attend the conference shall notify the Court on or before **Friday, November 14, 2003**, by sending an email to the Court’s Judicial Assistant, Sheila Hendrix, at sheila_hendrix@tned.uscourts.gov. The email shall include the attorney’s name, the party whom the attorney represents, and the case name and number in which the attorney is involved.

Counsel attending the conference shall be prepared to discuss the following matters concerning the “ERISA Benefits Denial” portion of MDL-1552:

- 1) A case management plan for these cases
- 2) Organization of counsel
- 3) Selection of lead counsel
- 4) Responsibilities of designated counsel
- 5) Managing costs and preventing duplication of effort

- 6) Dual-track approach to settlement and discovery/pretrial motions
- 7) Scheduling, including the time required to conclude pretrial proceedings
- 8) Motions schedules
- 9) Mediation
- 10) Document preservation

Counsel may suggest other items to be included on the agenda for this conference by sending a letter to the Deputy Clerk-in-Charge, in accordance with paragraph 13 of the Practice and Procedure Order issued in MDL-1552 on October 9, 2003. Counsel are also reminded to comply with paragraph 6 of that Order, regarding the list of attorneys for purposes of service in MDL-1552.

SO ORDERED.

ENTER:

CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE

ATTACHMENT

1:02-cv-214 *Higgins v. Unum Life*
1:02-cv-319 *Bennett v. Unum Life*
1:02-cv-340 *McCann v. Unum Life*
1:03-cv-17 *Dickerson v. Paul Revere Life*
1:03-cv-50 *Rogers v. Provident Life*
1:03-cv-80 *Welch v. Provident Life*
1:03-cv-113 *Gholston v. Unum Life*
1:03-cv-114 *Caylor v. Unum Life*
1:03-cv-115 *Rose v. Unum Life*
1:03-cv-116 *Farrish v. Unum Life*
1:03-cv-171 *Gawrys v. Provident Life*
1:03-cv-230 *Roberts v. Unum Life*
1:03-cv-261 *Sheets v. Provident Life*
1:03-cv-271 *Albaneze v. UnumProvident Corp.*
1:03-cv-274 *Lewandowski v. Unum Life*
1:03-cv-292 *Wilson v. Unum Life*
1:03-cv-294 *Davis v. UnumProvident*
1:03-cv-304 *Shea v. UnumProvident*
1:03-cv-311 *Lee v. UnumProvident*
1:03-cv-313 *Bitterman v. Unum Life*
1:03-cv-317 *Williams v. Unum Life*
1:03-cv-331 *Patton v. UnumProvident*
1:03-cv-344 *Hixson v. UnumProvident*
1:03-cv-346 *Stanfield v. UnumProvident*
1:03-cv-347 *Sacks v. UnumProvident*
1:03-cv-348 *Irizarry v. UnumProvident*

2:03-cv-114 *Wykle v. UnumProvident*
2:03-cv-202 *Gardner v. UnumProvident*
2:03-cv-232 *Warren v. UnumProvident*

3:03-cv-130 *Johnson v. Unum Life*